

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	CASE NO. 2:23-cr-00111-GMN-DJA
)	
Plaintiff,)	Las Vegas, Nevada
)	June 23, 2023
vs.)	Courtroom 3A
)	
ANTHONY LEWIS HAMELIN,)	Recording method: Liberty/CRD
)	11:02 a.m. - 11:06 a.m.
Defendant.)	ARRAIGNMENT AND PLEA
_____)

C E R T I F I E D C O P Y

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE DANIEL J. ALBREGTS,
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

APPEARANCES: (See next page)

Recorded by: J. Ries

Transcribed by: PAIGE M. CHRISTIAN, RMR, CRR, CCR #955
United States District Court
333 Las Vegas Boulevard South
Las Vegas, Nevada 89101

Proceedings recorded by electronic sound recording.
Transcript produced by mechanical stenography and computer.

1 **APPEARANCES:**

2

3 For the Government:

4 **JACOB HAILE OPERSKALSKI, AUSA**
5 *UNITED STATES ATTORNEY'S OFFICE*
6 501 Las Vegas Boulevard South
7 Suite 1100
8 Las Vegas, NV 89101
9 (702) 388-6336
10 E-mail: jacob.operskalski@usdoj.gov

8

For Defendant Anthony Lewis Hamelin:

9

10 **JOANNE L. DIAMOND, AFD**
11 *OFFICE OF THE FEDERAL PUBLIC DEFENDER*
12 411 E. Bonneville Avenue
13 Suite 250
14 Las Vegas, NV 89101
15 (702) 388-6577
16 E-mail: joanne_diamond@fd.org

13

* * * * *

14

15

16

17

18

19

20

21

22

23

24

25

1 LAS VEGAS, NEVADA; JUNE 23, 2023; 11:02 A.M.

2 --o0o--

3 P R O C E E D I N G S

4 **COURTROOM ADMINISTRATOR:** United States of America
5 vs. Anthony Lewis Hamelin, 2:23-cr-00111-GMN-DJA. This is an
6 arraignment and plea.

7 Counsel, your appearance for the record, please.

8 **MR. OPERSKALSKI:** Good morning, Your Honor. Jake
9 Operskalski appearing on behalf of the United States.

10 **THE COURT:** Good morning, Mr. Operskalski.

11 **MS. DIAMOND:** Good morning, Your Honor. Joanne
12 Diamond with the Federal Public Defender's Office with
13 Mr. Hamelin, who is present and in custody.

14 **THE COURT:** All right. Good morning to you, too,
15 Ms. Diamond.

16 Good morning, Mr. Hamelin.

17 **THE DEFENDANT:** Good morning, Judge.

18 **THE COURT:** My name is Daniel Albregts. I'm a United
19 States magistrate judge for the District of Nevada. You're
20 appearing here in federal court for an arraignment and plea on an
21 indictment which was filed on June 13th, 2023.

22 Sir, is your true name Anthony Lewis Hamelin?

23 **THE DEFENDANT:** Yes, sir.

24 **THE COURT:** How old are you?

25 **THE DEFENDANT:** 51.

1 **THE COURT:** What's your formal level of education?

2 **THE DEFENDANT:** Master's in public administration.

3 **THE COURT:** All right. So you read, write, and
4 understand English?

5 **THE DEFENDANT:** Yes.

6 **THE COURT:** Is there anything about your mental or
7 physical health that causes you to be unable to proceed or
8 otherwise understand what we're doing here today?

9 **THE DEFENDANT:** Not at this time, no.

10 **THE COURT:** Have you taken any prescribed medication,
11 drugs or consumed any alcohol in the last 24 hours that affects
12 your ability to understand what we're doing here today?

13 **THE DEFENDANT:** No.

14 **THE COURT:** All right. You are advised that you're
15 charged in a two-count indictment. In Count 1, you're charged
16 with influence -- influencing, impeding, or retaliating against a
17 federal official by threatening a family member, in violation of
18 Title 18 United States Code Section 115(a)(1)(A); and in Count 2,
19 you're charged with transmitting a communication containing a
20 threat to injure, in violation of Title 18 United States Code
21 Section 875(c).

22 Have you received a copy of that indictment?

23 **THE DEFENDANT:** Yes.

24 **THE COURT:** Have you read it?

25 **THE DEFENDANT:** Yes. I went over it with my lawyer.

1 **THE COURT:** Okay. Excellent. You're advise that
2 you're not required to make any statement about these charges,
3 either here in open court or to any law enforcement officer.
4 Anything that you do say can be used against you.

5 Now, in this case, you have a right to a trial by
6 jury at which time the government has the burden of proving the
7 charges against you beyond a reasonable doubt. You will be
8 presumed innocent at that trial.

9 You have the right to confront and cross-examine
10 witnesses brought by the government to testify against you. You
11 have the right to subpoena witnesses to come to that trial and
12 testify on your behalf. You have the right to testify or not
13 testify, and if you do not testify, that cannot be held against
14 you.

15 Finally, you have the right to the assistance of
16 counsel at all stages of these proceedings, and if you cannot
17 afford a lawyer, I will appoint one for you at the public's
18 expense.

19 Do you understand these rights, Mr. Hamelin?

20 **THE DEFENDANT:** Yes, sir.

21 **THE COURT:** And Ms. Diamond's been appointed to
22 represent you in this matter?

23 **THE DEFENDANT:** Yes, sir.

24 **THE COURT:** Have you had a chance to speak with her
25 regarding what you're charged with in the indictment?

1 **THE DEFENDANT:** Yes, sir.

2 **THE COURT:** And do you understand the nature of those
3 charges and the purpose of today's hearing?

4 **THE DEFENDANT:** Yes.

5 **THE COURT:** Ms. Diamond, any reason to question the
6 competency of your client to assist in his defense, understand
7 the nature of the charges, or what we're doing here today?

8 **MS. DIAMOND:** No, Your Honor.

9 **THE COURT:** And do you waive a reading of the
10 indictment?

11 **MS. DIAMOND:** We, do, Your Honor.

12 **THE COURT:** All right. Mr. Hamelin, how do you plead
13 to the two counts contained in this indictment -- guilty or not
14 guilty?

15 **THE DEFENDANT:** Not guilty.

16 **THE COURT:** All right. I will accept your not guilty
17 pleas. We will set this matter for trial for Monday, August
18 21st, 2023, at 8:30 a.m., in Courtroom 7D before the Honorable
19 Judge Gloria Navarro. There will be a calendar call the previous
20 Tuesday, August 15th, 2023, at 9 a.m., again, in Courtroom 7D
21 before Judge Navarro.

22 Mr. Operskalski, what is the government's position on
23 discovery in this case?

24 **MR. OPERSKALSKI:** Your Honor, this case is not
25 complex, and the government requests that the standard pretrial

1 order be issued.

2 **THE COURT:** All right. Ms. Diamond, anything you
3 want to raise regarding discovery at this time?

4 **MS. DIAMOND:** No, Your Honor.

5 **THE COURT:** All right. The standard order regarding
6 pretrial procedure will be entered. Discovery will be governed
7 by Rule 16 under Federal Rule of Criminal Procedure 5(f), the
8 government's ordered to comply with its disclosure obligations
9 under *Brady v. Maryland* and related cases. Failure to do so may
10 result in sanctions. That is contained in our written pretrial
11 order.

12 Anything else from the government, Mr. Operskalski?

13 **MR. OPERSKALSKI:** No, Your Honor. Thank you.

14 **THE COURT:** All right. Anything else from the
15 defense, Ms. Diamond?

16 **MS. DIAMOND:** No, Your Honor. Thank you.

17 **THE COURT:** All right. Mr. Hamelin, good luck to
18 you.

19 **THE DEFENDANT:** Thank you, sir.

20 **THE COURT:** All right.

21 *(Proceedings adjourned at 11:06 a.m.)*

22 --o0o--

23

24

25

1 I, Paige M. Christian, a court-appointed transcriber,
2 certify that the foregoing is a correct transcript transcribed
3 from the official electronic sound recording of the proceedings
4 in the above-entitled matter.

5

6 Date: September 16, 2024

7

/s/ Paige M. Christian

8

Paige M. Christian, RMR, CRR, CCR #955

9

Official Court Reporter

United States District Court

District of Nevada

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25